Department of Public Health and
Human Services (DPHHS)

Health Insurance Portability and Accountability Act ("HIPAA") Privacy Policy

John Chappuis, Deputy Director

Date: February 27, 2003

Revised Date:

Policy Title:	Minimum Necessary		
Policy Number:	003	**Version:**	1.0
Approved By:	John Chappuis		
Date Approved:	February 27, 2003		

Purpose:

This policy addresses reasonable efforts to limit the amount of Protected Health Information ("PHI") requested and disclosed about a client to the minimum amount that is necessary to accomplish the purpose of the use (see HIPAA Privacy Policy Number 002 on Uses and Disclosures of PHI).

Exceptions: The minimum necessary rule does not apply in the following circumstances:

    a. Information necessary to provide treatment;

    b. As requested by the client;

    c. As required by law; and

    d. As required for compliance with federal or state program mandates.

Policy:

1. **DPHHS will limit its use and disclosure of PHI to the minimum that is necessary to accomplish the need. DPHHS will also limit the amount of PHI it requests to the minimum that is necessary to accomplish the need.**

Minimum Necessary

a. Routine Disclosures – Each program will develop procedures to determine the minimum amount of information it can request or disclose to accomplish its defined purposes. Programs may not use, disclose or request an entire medical record unless the entire medical record is specifically justified as the amount of information needed to accomplish the purpose of the use, disclosure or request.

b. Non-Routine Disclosures – Each program must develop criteria for non-routine disclosures and requests to assure that each request is evaluated against such criteria to limit the information used, requested or disclosed to the minimum necessary to accomplish the purpose for the information.

c. Access to Information – Supervisors must determine levels of access to PHI required by each job classification and must limit access to those staff that requires the information in order to perform their job duties.